REMARKS

Claims 1-36 stand objected to because of an inconsistency found in the claim language. Applicant has amended claims 1, 2, 17, 21, 27 and 28 to refer to a "computer captor" so as to differentiate between the computer captor and the captor using the computer captor. Reconsideration and withdrawal of the objection is respectfully requested.

Claims 1-2, 5-10, 21-24, 26-28, 31-33, 35 and 37-39 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0111669 ("Rossmann"). Rossmann discloses the method as including receiving a web page having a number of data elements, classifying the data elements, determining a number of related operations for each of the data elements and outputting the related operations. (Rossmann, Abstract). As Rossmann discloses, the data is extracted from the web page, the user selects one or more related operations, and the extracted data are then output to the one or more related operations, which then processes the extracted data. (Rossmann, ¶ 44). Selecting the related operation causes the extracted data to be sent to the application implementing the related operation. (Rossmann, ¶ 44). For example, using a hotel booking application, the process books a hotel by contacting the hotel booking website, makes reservations, sends confirmations to user, etc. (Rossmann, ¶ 74). It is significant to note that the processor used in the method controls and sends instructions to the remote terminals, as in the case of booking the hotel reservation.

Applicant claims, *inter alia*, recording a destination address for a communications terminal having an electronic telephone directory in a browser, selecting one or more telephone numbers to capture from a Web page, and sending a message containing the captured telephone numbers to the communications terminal. (Claims 1, 21, 27 and 37).

MPEP § 2131 provides:

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). "The identical invention must be

shown in as complete detail as is contained in the . . . claim."
Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236 (Fed. Cir.
1989). The elements must be arranged as required by the claim, but
this is not an *ipsissimis verbis* test, *i.e.*, identity of terminology is not
required. *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990).

Applicant respectfully asserts that a *prima facie* case of anticipation has not been presented because each and every element as set forth in Applicant's claim is not found in the cited prior art reference. Applicant claims recording a destination address of a communications terminal having an electronic telephone directory in a browser.

The Examiner responds to Applicant's remarks from the prior response by stating the Rossmann does teach using a browser's bookmark for recording the address of the desired page. (See FOA, ¶25). However, Applicant does not claim recording an address on a browser for a desired page, but rather records an address that is a "destination address of the communications terminal having the telephone directory" and further, "sending a message to the destination address of the communications terminal." It is not a webpage address that is being recorded in the browser, but the address of a communications terminal that is capable of being able to receive the message.

The Examiner further states that Rossmann discloses that the browser can communicate with all the files on the system that it is operating on, and therefore, because Rossmann's communications terminal is co-located with the browser, that the browser can communicate with the communications terminal. Such is not, however, what Applicant claims. Rossmann discloses, as the Examiner points out, that a telephone number can be saved to a PIM after the telephone number has been looked up on a website. However, saving a number on the PIM that was used to lookup the number is not the same as "sending a message containing the one or more captured telephone numbers from a captor computer to the destination address of the communications terminal," which is an element of Applicant's claimed invention.
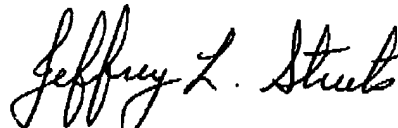
As stated above, a *prima facie* case of anticipation requires that each and every element as set forth in Applicant's claims are found, either expressly or inherently described in a single prior art reference. Since Rossmann does not set forth each and every element as set forth in Applicant's claims, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claims 1, 21, 27 and 37 as well as all claims depending therefrom.

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Claims 3-4 and 29-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rossmann as applied to claims 1-2, 5-12, 21-24, 26-28, 31-33, 35 and 37-39 above and further in view of Official Notice. Claims 11, 13-15, 17-20, 25, 34 and 36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rossmann, as applied to claims 1-11, 21-24, 26-33, 35 and 37-39 above. For the reasons cited in the remarks above concerning independent claims 1, 21, 27 and 37, Applicant respectfully requests reconsideration and withdrawal of the rejection of all the herein rejected dependent claims that depend, either directly or indirectly, from independent claims 1, 21, 27 or 37.

Applicant respectfully asserts that all claims are now in condition for allowance and requests the timely issuance of a notice of allowance. In the event there are additional charges in connection with the filing of this Response, the Commissioner is hereby authorized to charge the Deposit Account No. 50-0714/IBM-0019 of the firm of the below-signed attorney in the amount of any necessary fee.

Respectfully submitted,

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